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9 Attorneys for WAYMO LLC

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

12 WAYMO LLC,

13 Plaintiff,

14 vs.

15 UBER TECHNOLOGIES, INC.;
16 OTTOMOTTO LLC; OTTO TRUCKING
17 LLC,

18 Defendants.

CASE NO. 3:17-cv-00939-WHA

DECLARATION OF DAVID A. PERLSON

1 I, David A. Perlson, hereby declare as follows.

2 1. I am a member of the bar of the State of California and a partner with Quinn
3 Emanuel Urquhart & Sullivan, LLP, counsel for Plaintiff Waymo LLC (“Waymo”). I make this
4 declaration of personal, firsthand knowledge, and if called and sworn as a witness, I could and
5 would testify competently as follows.

6 2. On May 17, 2017, I participated in a telephonic conference with Arturo Gonzalez,
7 counsel for Defendants Uber and Ottomotto, Neel Chatterjee, counsel for Otto Trucking LLC and
8 Special Master John Cooper regarding the proposed Protocols submitted by the parties. During
9 the telephonic conference Mr. Gonzalez said that Anthony Levandowski may continue to work
10 with Velodyne output data as part of his role and responsibilities at Uber.

11 3. On May 19, 2017, I participated in another meet and confer with Special Master
12 Cooper and counsel for Defendants Uber, Ottomotto, and Otto Trucking. During that meet and
13 confer, counsel for Otto Trucking represented that Mr. Levandowski is an officer of Otto
14 Trucking.

15 4. Attached hereto as Exhibit A is a true and correct copy of Waymo’s
16 Corrected Proposed Protocols Pursuant to Paragraph 7, Page 26 Of The Court’s Order Granting In
17 Part And Denying In Part Plaintiff’s Motion For Provisional Relief. The version submitted hereto
18 includes minor modifications from the version submitted to Special Master Cooper on May 15,
19 2017, to correct citations to docket numbers and identification of corporate entities.

20 5. Attached hereto as Exhibit B is a true and correct copy of a May 15, 2017 email
21 from Wendy Ray, counsel for Defendants Uber Technologies, Inc. (“Uber”) and Ottomotto, LLC
22 (“Ottomotto”) providing Uber’s “proposed protocol.”

23 6. Attached hereto as Exhibit C is a true and correct copy of Defendants Uber and
24 Ottomotto's Objections to Waymo’s Proposed Protocol.

25 7. Attached hereto as Exhibit D is a true and correct copy of Waymo’s Objections to
26 Defendants’ proposed protocol.

27 8. Attached hereto as Exhibit E is a true and correct copy of Special Master Cooper’s
28 Proposed Order that includes Waymo’s proposed changes in redline.

